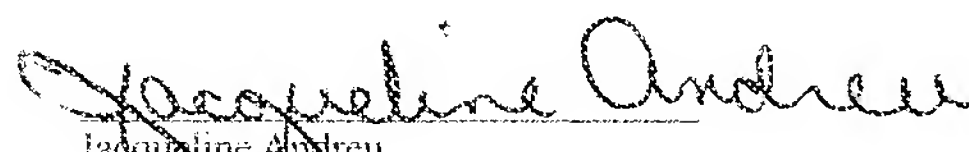# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John Babish et al.

Application No.:   10/557,293

Filing Date: December 20, 2006

Docket Number: 068911-0126

Title: Anti-Inflammatory Pharmaceutical Compositions for Reducing Inflammation and The Treatment or Prevention of Gastric Toxicity

Examiner: Michael V. Meller

Art Unit: 1655

Confirmation No.   9021

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop: Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or filed online via EFS-Web to the USPTO, on the date indicated below.

Date: July 27, 2010

Jacqueline Andreu
Jacqueline Andreu

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REMARKS

The following supplemental terminal disclaimer (TD) are being submitted at the request of Examiner Meller, which was telephonically communicated with the undersign on July 23, 2010.
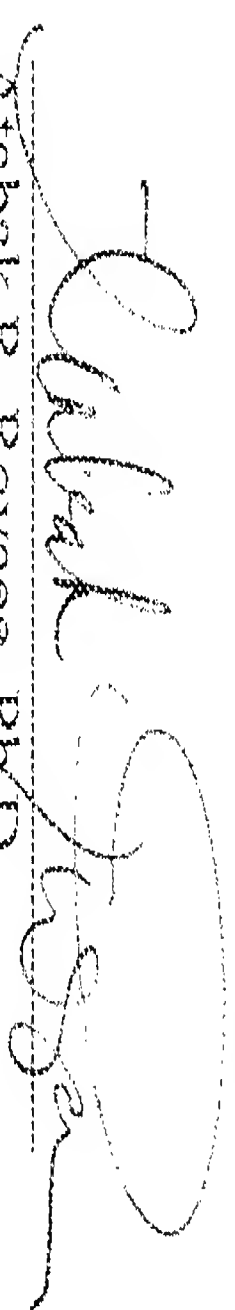
- TD for U.S. Application No. 11/649,584

No fees are believed to be due in connection with the filing of the supplemental TD partly because MPEP 1490, Examiner's Notes 13.35 and 14.35.01, state that "applicant is not required to pay another disclaimer fee as set forth in 37 CFR 1.20(d) when submitting a replacement or supplemental terminal disclaimer." Examiner Meller has also orally suggested to the undersign that no fees are required when replacement or supplemental TDs are filed at the request of the Examiner.

Nonetheless, the Commissioner is hereby authorize to charge any fees that may be required in connection with the filing this paper and the terminal disclaims, under 37 C.F.R. 1.20(d), to our Deposit Account 50-1133.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Atabak R. Royaee, Ph.D.
Registration No. 59,037
McDermott, Will & Emery LLP
28 State Street
Boston, MA 02109 - 1775
Telephone: 617.535.4108
Facsimile: 617.535.3800

Date: July 27, 2010

EST99 1655175-1.068911.0126